

Honorable John C. Coughenour

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEITH WALKER, individually, and as
parent and guardian for D [REDACTED]
W [REDACTED], and CLEMENCIA WALKER

Plaintiff,

VS.

KING COUNTY, a municipal corporation acting through the KING COUNTY SHERIFF'S OFFICE, and MARYLISA PRIEBE-OLSON, and PAUL AIO, and the STATE OF WASHINGTON, by and through its agency, CHILD PROTECTIVE SERVICES, and EDGAR DUBOSE,

Defendants.

Case No. C-08-0549-JCC

JOINT MOTION TO EXTEND
DISCOVERY CUTOFF TO
ALLOW FOR TARGETED
DISCOVERY

The plaintiffs and the defendants jointly, by and through their attorneys of record, move this Court for the following relief:

JOINT MOTION TO EXTEND DISCOVERY CUT OFF Page - 1

VAN SICLEN, STOCKS & FIRKINS
A Professional Service Corporation
721 45th Street NE
Auburn, WA 98002-1381
(253) 859-8899

I. RELIEF REQUESTED

The plaintiffs and defendants, by and through their attorneys of record, move this Court for an order extending the discovery cutoff date to allow targeted depositions, including the depositions of the parties' experts and selected current and former DSHS social workers.

II. ANALYSIS

The parties have been working cooperatively to complete discovery. Much of the necessary discovery has been completed. Both parties have disclosed experts. The experts are required to disclose their Rule 26 reports on or before April 20, 2009. Discovery cut off is approximately March 20, 2009. The parties are interested in having the expert reports before taking the depositions of the various experts; however, the experts have not completed their reports and are unlikely to do so before March 20. Therefore, the parties jointly respectfully request that the Court permit the discovery depositions of the experts to take place after the discovery cutoff, but on or before April 20, 2009. This will allow all parties to fully discover all of the opinions of the experts. In particular, the experts are still developing opinions from various tests administered to the plaintiff, D██████ W█████ Requiring the parties to take the expert's

depositions before these opinions are fully developed would create an unfair advantage to the party calling the expert.

In addition, despite their best efforts, the parties have been unable to have all of the social workers deposed prior to the discovery cutoff without creating an undue burden on the parties and the witnesses. Therefore, the parties jointly move this Court for an order allowing the social workers identified by the parties among themselves to be deposed on and after the discovery cutoff date, but before April 20, 2009.

AGREED ORDER

Based on the parties' joint motion, the Court extends the discovery cutoff date of the various identified experts to April 20, 2009. The Court further orders that the discovery cutoff shall be extended to April 20, 2009, to allow for the depositions of the following current/former social workers identified as follows:

Tom Mai, Steve Overton, Erik Applebee, Linda Kammberzell, Gretlyn Dawson, Trenton Coleman, Jerri Robinson, Paul Young, Beth Harnett, Simon Gobina, Peter Carmoe, Nancy Chester, Jill Hanije, Jennifer Schwinn, Joan Musoke, Dr. Kumasaka, and therapist Crawford.

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1 No further adjustment to the discovery cut off dates shall be permitted
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3 without further order of the court.

4 DONE IN OPEN COURT this 10th day of March, 2009.
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12 _____
13 JUDGE JOHN C. COUGHENOUR
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15 Presented by:
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17 VAN SICLEN, STOCKS & FIRKINS
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20 Tyler K. Firkins, WSBA#20964
21 Attorney for Plaintiff
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23 Approved:
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27 Kristopher J. Bundy, WSBA#19840
28 Attorney for King County Defendants
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32 Garth Ahearn, WSBA#29840
33 Attorney for State Defendants
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JOINT MOTION TO EXTEND DISCOVERY
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